

NM 222

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| Post-it™ Fax Note 7671 | | Date 8/18/95 | # of pages 3 |
| To SECRETARY | From JOHN R. DiSALVO | | |
| Co./Dept. FCC - PLMRS | Co. SOF - DMS/DIVCOM | | |
| Phone # 202/418-0300 | Phone # 904/922-7407 | | |
| Fax # 202/418-2813 | Fax # 904/927-2329 | | |



NT OF MANAGEMENT

SERVICES

4050 Esplanade Way • Tallahassee, Florida 32399-0950

LAWTON CHILES, GOVERNOR

WILLIAM H. LINDNER, SECRETARY

EX PARTE OR LATE FILED

Division of Communications

August 18, 1995

Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, D.C. 20554

Re: Petition for Reconsideration to PR Docket No. 92-235
Rule

Dear Secretary:

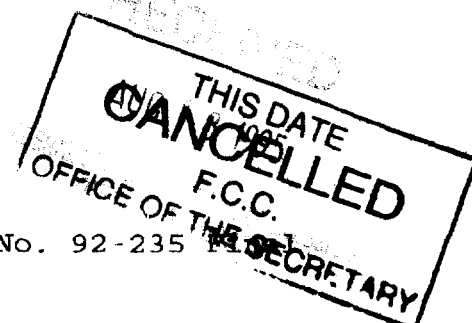
The State of Florida, Division of Communications (the "Division") is mandated by Florida Law to regulate the procurement of communications systems and equipment of State agencies as well of local law enforcement and emergency medical services organizations. The Division is continuously involved in spectrum availability, coordination, and utilization issues on behalf of its client agencies. The Division has worked closely with APCO's frequency coordination program over the years, and currently provides all technical support to Florida's Region-9 Public Safety Committee. The Division, therefore, has a direct and concerned interest in this rule making.

The Commission and its staff is commended for undertaking this enormous proceeding. Maintaining 47 CFR, part 90 at this time in lieu of replacing it with 47 CFR, part 88 was a prudent decision with which the Division concurs. We offer the following specific comments in seeking a Petition for Reconsideration:

1. The table of MED channels listed is "limitation 11" of Part 90.27 are named alpha-numerically. The Division recommends the channels be named in increments of 10. Incremental channel designations will better indicate the sequence of frequencies. See proposed table in attachment A.
2. Previous to this rule making, 47 CFR, part 90.311 was understood to mean 25 kHz channel spacings in the 470-512 MHz band for Miami, FL urbanized area although not explicitly stated in part 90.311(b). Please clarify this in summary or provide explicit statements to that effect in part 90.311(b) for 6.25 kHz spacings.
3. Part 90.19, "Police Radio Service Frequency Table" indicates "851 to 856," "928 and above," and "929 to 930" in the Kilohertz portion of the table. Limitation 22 for "851 to

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Secretary - FCC

August 18, 1995

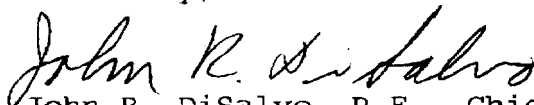
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856" refers to Subpart S which is for the Megahertz range of frequencies. Previous to this rule making, 47 CFR, part 90.19 indicated these same suspect frequencies. These three sets of frequency ranges likely belong in the Megahertz portion of the table, as appropriate. Please clarify or adjust the table.

4. We hope the Commission gave the Police and Emergency Medical Radio Services "a fair shake" in allocating the channel splits. For example, mathematically add up the amount of spectrum (in hertz) for each radio service in this rule making and compare these to their original totals respectively. The Commission is urged to ensure equality of total spectrum is maintained.
5. Paragraph 8 of the "Summary of Report & Order" gives manufacturers or its representative type acceptance authority to modify existing equipment. Even though the conversion kit may be type accepted, where is the assurance the equipment was modified correctly - particularly in the absence of mandated technician certifications (i.e., 1st, 2nd, and 3rd Class licenses)? We request the Commission to revisit technician certification mandates.
6. Paragraph 14 of the "Summary of Report & Order" will create a windfall of frequency coordination fees regardless of what option the low power licensee chooses. We request the Commission revisit the applicable part(s) of this rule making and reconsider the financial impact to existing licensees.

We look forward to frequency coordinators' comments "within the rubric of this Report and Order." Furthermore, we request the Commission's sensitivity to the financial limitations of taxpayer-supported Public Safety organizations during this process. Your consideration to the above is appreciated.

Sincerely,



John R. DiSalvo, P.E., Chief
Bureau of Communications Engineering
Division of Communications

CWW:bdw:pr92-235

Enclosure: Attachment A

ATTACHMENT A

| Frequencies base and mo- bile (Mega- hertz) | Mobile only (MHz) | Channel name |
|--|----------------------|-----------------|
| 463.000 | 468.000 | MED-1 |
| 463.00625 | 468.00625 | MED-11 |
| 463.0125 | 468.0125 | MED-21 |
| 463.01875 | 468.01875 | MED-31 |
| 463.025 | 468.025 | MED-2 |
| 463.03125 | 468.03125 | MED-12 |
| 463.0375 | 468.0375 | MED-22 |
| 463.04375 | 468.04375 | MED-32 |
| 463.050 | 468.050 | MED-3 |
| 463.05625 | 468.05625 | MED-13 |
| 463.0625 | 468.0625 | MED-23 |
| 463.06875 | 468.06875 | MED-33 |
| 463.075 | 468.075 | MED-4 |
| 463.08125 | 468.08125 | MED-14 |
| 463.0875 | 468.0875 | MED-24 |
| 463.09375 | 468.09375 | MED-34 |
| 463.100 | 468.100 | MED-5 |
| 463.10625 | 468.10625 | MED-15 |
| 463.1125 | 468.1125 | MED-25 |
| 463.11875 | 468.11875 | MED-35 |
| 463.125 | 468.125 | MED-6 |
| 463.13125 | 468.13125 | MED-16 |
| 463.1375 | 468.1375 | MED-26 |
| 463.14375 | 468.14375 | MED-36 |
| 463.150 | 468.150 | MED-7 |
| 463.15625 | 468.15625 | MED-17 |
| 463.1625 | 468.1625 | MED-27 |
| 463.16875 | 468.16875 | MED-37 |
| 463.175 | 468.175 | MED-8 |
| 463.18125 | 468.18125 | MED-18 |
| 463.1875 | 468.1875 | MED-28 |
| 463.19375 | 468.18375 | MED-38 |
| 462.950 | 467.950 | MED-9 |
| 462.95625 | 467.95625 | MED-19 |
| 462.9625 | 467.9625 | MED-29 |
| 462.96875 | 467.96875 | MED-39 |
| 462.975 | 467.975 | MED-10 |
| 462.98125 | 467.98125 | MED-20 |
| 462.9875 | 467.9875 | MED-30 |
| 463.99375 | 467.99375 | MED-40 |